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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/244,419	02/04/1999	TAKESHI KAMIMURA	Q053219	3733

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[REDACTED] EXAMINER

NGUYEN, MADELEINE ANH VINH

ART UNIT	PAPER NUMBER
2622	7

DATE MAILED: 05/24/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	09/244,419	KAMIMURA, TAKESHI
	Examiner	Art Unit
	Madeleine AV Nguyen	2622

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on 03/05/2002.

2a) This action is FINAL.      2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 1-14 is/are pending in the application.

4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5) Claim(s) \_\_\_\_\_ is/are allowed.

6) Claim(s) 1-14 is/are rejected.

7) Claim(s) \_\_\_\_\_ is/are objected to.

8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11) The proposed drawing correction filed on \_\_\_\_\_ is: a) approved b) disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.

12) The oath or declaration is objected to by the Examiner.

#### Priority under 35 U.S.C. §§ 119 and 120

13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All b) Some \* c) None of:

- 1) Certified copies of the priority documents have been received.
- 2) Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
- 3) Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) The translation of the foreign language provisional application has been received.

15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

#### Attachment(s)

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____	6) <input type="checkbox"/> Other: _____

**DETAILED ACTION**

This communication is responsive to response filed on March 05, 2002.

***Response to Applicant's Remarks***

1. Applicant remarks that no fields of the processing terminal registration table are devoted to storing a species for identifying an operation document image, a destination of an operation document image, or an operation for an operation document image as recited in claim 1.

From Fig. 10, Yamakita teaches text buffer file name as a species for identifying an operation document image, transmission source IP address as a destination of an operation document image and format type as an operation for an operation document image as recited in claim 1. It is noted that although table in Fig. 10 has “transmission source IP address” but that address is considered as a “destination source IP address” for the host unit 108 since the host unit has to transmit information back to the terminal 101 which is called as “transmission source IP address”. In addition, although table in Fig. 10 does not mention that it includes “destination IP address” but step 905 in Fig. 9A specifically teaches that the registration table includes destination IP address.

2. Applicant remarks that Yamakita fails to teach the use of document images, let alone the use of an image identifying server for processing a document image. The host unit’s extraction of a specific word from the converted text data is not for identifying the species of an operation document image.

Yamakita teaches that the packet transmission/reception section 115 extracts, from the received TCP/IP packet, the “transmission source IP address”, the “terminal identification code”, and the text speech recognition/formatting start request command and the format type data, or the text speech recognition/formatting and request command. Thus, Yamakita discloses the use of the information in the received TCP/IP packet. In addition, Fig.6C shows that the data in the packet includes formatted text data and image data which can be non-textual manner.

3. Applicant remarks that there is no reference to the host unit 108 of Yamakita retrieving a species stored in a workflow control table in response to the identified species, to automatically recognize the destination of the operation document image and the operation to be performed on the operation document image at the destination.

Yamakita teaches in step 908 (Fig.9B) the step of searching processing terminal registration table in accordance with transmission source IP address, additionally write speech data in speech buffer file corresponding to entry, and write final access time in the entry.

4. Applicant remarks that Yamakita fails to teach or suggest an image identifying server that transmits the destination and operation to the network.

In step 913 (Fig.9C), Yamakita teaches the step of transmitting formatted text data in formatte text buffer file to transmission source IP address through the network.

The rejection of claims 1-13 is maintained.

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1-8, 10, 12-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yamakita (US Patent No. 5,956,681).

Concerning claims 1, 14, Yamakita discloses an image workflow system for use in transferring through a network, an operation document image extracted from an operation document which is featured by a species, a destination and an operation to be handled to the operation document comprising a workflow table (Fig. 10) which stores the species, the destination and the operation assigned to each operation document; and an image identifying host for identifying the species of the operation document from the operation document image to retrieve the species stored in the workflow control table in response to the identified species, to automatically recognize the corresponding destination and operation, and to transmit a recognized result to the network.

It is noted that Yamakita teaches text buffer file name as a species for identifying an operation document image, transmission source IP address as a destination of an operation document image and format type as an operation for an operation document image as recited in claim 1. It is noted that although table in Fig. 10 has “transmission source IP address” but that address is considered as a “destination source IP address” for the host unit 108 since the host unit has to transmit information back to the terminal 101 which is called as “transmission source IP

address". In addition, although table in Fig. 10 does not mention that it includes "destination IP address" but step 905 in Fig. 9A specifically teaches that the registration table includes destination IP address.

In addition, Yamakita teaches a host unit 108 and does not mention that the host unit 108 is a server. However, Yamakita teaches that the host unit 108 is for recognizing the received speech data, converting the recognized speech data into document data, extracting a specific word from the converted document data, and generating formatted document data having a predetermined format by inserting the extracted word into a specified field of the converted document data and transmitting the generated formatted document data through the communication network. It would have been obvious at the time the invention was made to a person having ordinary skill in the art to consider the host unit 108 is an image identifying server since it identifies the species of the operation to automatically recognize the result and transmit the recognized result to the network. That can read on the function of the claimed server.

Concerning claims 2-8, 10, Yamakita further teaches an input device coupled to the host unit to supply the operation document as the operation document image (121, 119; Fig. 1); the recognized result is transmitted to the network together with the operation document image in the form of a packet; one terminal which includes a destination terminal as the destination and which is coupled to the network; the operation document image is processed on the basis of the operation designated by the recognized result, as the destination terminal which receives the operation document image; the host unit identifies the species of the operation document by using text recognition, an image pattern; the destination terminal automatically activates a program performing the corresponding operation to the recognized result when the terminal

receives the operation document image; the packet is transmitted from a first terminal to a second terminal after processing of the packet at the first terminal (Figs. 1, 3, 5-7, 9-11; Abstract; col. 4, lines 14-67; col. 11, lines 39-65; col. 19, lines 12-26; col. 20, line 31 – col. 23, line 7); col. 41, lines 12-52).

Claim 12 is method claim of apparatus claim 1. Claim 12 is rejected as claim 1 respectively.

Concerning claim 13, Yamakita discloses a computer readable medium with the claimed subject matter as discussed in claim 1 above.

7. Claims 9 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yamakita as applied to claim 1 above, and further in view of Amberg et al (US Patent No. 5,410,416).

Concerning claims 9 and 11, Yamakita does not teach that the host unit transmits the packet to a plurality of destination terminals simultaneously and the host unit observes efficiency of a plurality of terminals and selects one of the terminal which have the lowest efficiency. Amberg et al discloses a simultaneous multi-access low speed/high speed, multi-delivery fax gateway for improving the efficiency of long-distance fax communications by simultaneously receiving a plurality of low-speed faxes, bundling them into a single fax for transmission to a common distribution, and transmitting the single fax as a high-speed fax to the destination. At the destination, the high-speed fax is received, unbundled into its constituent faxes, and the constituent faxes are distributed as low-speed faxes to a plurality of recipients (Fig. 1; Abstract; col. 1, line 43 – col. 2, line 18; col. 2, line 45 – col. 4, line 51). It would have been obvious at the

time the invention was made to a person having ordinary skill in the art to combine the teaching in Amberg et al to the host unit 108 in Yamakita since Yamakita also teaches that "To enable access to the speech control host unit 108 or the like in PHS speech communication as well, the mobile terminal 101 may have, e.g., a two channel simultaneous communication function." (col. 19, lines 17-20) that would allow simultaneous communication between a plurality of terminals wherein a destination with less time consuming can be determined.

*Conclusion*

8. Applicant's arguments filed on March 05, 2002 have been fully considered but they are not persuasive.
9. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

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10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Madeleine AV Nguyen whose telephone number is 703 305-4860. The examiner can normally be reached on 8:30-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward L. Coles can be reached on 703 305-4712. The fax phone numbers for the organization where this application or proceeding is assigned are 703 872-9314 for regular communications and 703 872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703 305-4700.



Madeleine AV Nguyen  
Primary Examiner  
Art Unit 2622

AV  
May 16, 2002